

Minutes of the Independence City Commission's April 9, 2020 Meeting

The Independence City Commission met for a regular meeting on April 9, 2020 at 5:30 P.M. at the Memorial Hall. Mayor Leonhard Caflisch, Commissioner Louis Ysusi and Commissioner Dean Hayse were present. Others present included:

City Staff

Jeff Chubb, City Attorney
Kelly Passauer, Assistant City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
Brian McHugh, Memorial Hall Supervisor
David Cowan, Director of Safety/ADA Coordinator

Visitors

Larry McHugh

I. REGULAR SESSION

A. Call to Order

Mayor Caflisch called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopted the agenda.

Aye: Ysusi, Caflisch, Hayse

Nay: None

II. APPOINTMENTS

A. Planning Commission/Board of Zoning Appeals -- One expired term – Applications Due April 30, 2020

III. CONSENT AGENDA

(*Consent* is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Consent Agenda are adopted by a single motion unless removed from the Consent Agenda.)

A. Appropriations

1. A-1860

2. P-1833

B. Consider rescheduling a budget hearing for amending the 2020 budget to include a new budgeted fund for Transient Guest Tax for April 23, 2020 at 5:30 PM.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission adopted the Consent Agenda.

Aye: Ysusi, Caflisch, Hayse

Nay: None

IV. ITEMS FOR COMMISSION ACTION

- A. Consider adopting a resolution setting the date of June 25, 2020 for condemnation of a fire damaged structure located at 801 E. Birch Street as dangerous and unsafe.

On March 15, 2020, this structure was involved in a fire that damaged the walls, floors, and attic with smoke and heat. Based on the damage throughout the structure the house is uninhabitable. The house was vacant at the time of the fire.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopted a resolution setting the date of June 25, 2020 at 5:30 p.m. for a public hearing to consider condemnation of the fire-damaged structure at 801 E. Birch Street.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- B. Reconsider the requirements for "bricks and mortar" to qualify for the Emergency Grant Fund.

On April 2, 2020 the City Commission approved an emergency grant program as outlined with some minor amendments.

The eligible businesses listed were:

- Hospitality Industry (excluding hotel/motel)
 - o Defined as restaurant and retail (businesses that sell goods/products)
- Located within the City limits with a permanent address (brick and mortar business location excluding home businesses)
- Owner/Franchisee must live within Montgomery County
- Must hold a current City business license
- Must have been open and operating at the time of the COVID-19 pandemic
- Must reopen within 60 days after the Governor rescinds the Executive Order(s) restricting residents and businesses due to the COVID-19 Pandemic
- Must have been negatively impacted by the COVID-19 pandemic

On April 7, 2020, a subcommittee reviewed the applications consisting of three

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members of the Economic Development Advisory Board, two City staff members, the Director of the Montgomery County Action Council, and the Mayor.

There were two businesses that generated a lot of discussion regarding whether they qualified:

One was a retail business located in a downtown storefront that the owner/operator lived in an adjoining Kansas county less than three miles outside of Montgomery County.

The other business was a food truck which did not meet the definition of a brick and mortar business.

On a 2-1 vote the Economic Development Advisory Subcommittee voted to authorize awarding a grant to a downtown storefront as it was discussed that the spirit and intent of the emergency grant program was to preserve the local brick and mortar retail stores that were owned by a local entity, and that less than three miles outside of Montgomery County should still be considered locally owned.

On a 2-1 vote the Economic Development Advisory Subcommittee agreed to ask the Commission whether or not they wanted to reconsider the requirement for "bricks and mortar" and allow food trucks to apply.

There was discussion that food trucks did not have the same overhead costs as typical brick and mortar locations, however, the committee did believe that their businesses could have been negatively impacted and they are part of the restaurant retail industry. It was further discussed that if this grant was provided to a food truck business, that it should be opened up to other food truck businesses that did not apply because the grant stipulations indicated only "brick and mortar businesses excluding home businesses" could apply. The possibility of allowing catering businesses to apply was also briefly discussed.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission accepted the list of businesses qualifying for the emergency grant that is presented to us this evening in its entirety with the possible exception of two that have pending additional information.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

V. REPORTS

A. City Board Minutes

1. March 18, 2020 Recreation Commission

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B. 2020 Census Update

Assistant City Manager Passauer presented some facts about the Census

C. COVID-19 Emergency Preparedness Update

Director Cowan gave an update on the effects of the pandemic locally.

D. Emergency Grant Update

VI. CITY MANAGER'S COMMENTS

Assistant City Manager Passauer praised City staff for the job they are doing during this pandemic.

Mayor Cafilisch inquired about the recycling program.

Assistant City Manager Passauer informed him that the Sanitation yard will be open on Tuesdays from 11:00 A.M. to 1:00 P.M. for citizens to drop off their items and the Sanitation crew will sort it after the yard is closed.

VII. COMMISSIONERS' COMMENTS

Commissioner Ysusi stated that the Community Access Center has food for people who require assistance.

Commissioner Hayse informed citizens to be safe on the roads due to the road construction close to town.

Mayor Cafilisch wanted to brainstorm at the next worksession on the expiring sales tax initiative.

VIII. PUBLIC CONCERNS

IX. EXECUTIVE SESSION

A. For the purpose of reviewing and considering City Manager applications.

Motion:

On the motion of Mayor Cafilisch, seconded by Commissioner Ysusi the Commission moved to recess for an executive session for review and discussion of City Manager applications pursuant to the non-elected personnel exception

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(K.S.A. 75-4319(b)(1). The open meeting will resume at 6:30 P.M.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 6:30 P.M. with no action taken.

X. ADJOURNMENT

Motion:

Commissioner Hayse moved to adjourn. Commissioner Ysusi seconded.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Leonhard Caflisch, Mayor

Louis Ysusi, Commissioner

Dean Hayse, Commissioner

Attest:

City Clerk/Treasurer